

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

BOSTON BIT LABS, INC., d/b/a BIT BAR
SALEM, a Massachusetts corporation,

Plaintiff,

v.

CHARLES D. BAKER, in his official
capacity as Governor of the Commonwealth
of Massachusetts,

Defendant.

Civil Action No. 1:20-cv-11641

**MOTION FOR LEAVE TO FILE REPLY
BRIEF IN SUPPORT OF MOTION FOR
PRELIMINARY INJUNCTION**

Plaintiff Bit Bar Salem moves this Honorable Court pursuant to L.R. 7.1(b)(3) for leave to file a brief reply, no more than 10 pages, in support of its Motion for Preliminary Injunction filed on September 2, 2020 (Dkt. No. 3). Defendant's opposition(s) to the motion (Dkt. Nos. 16 & 17) introduces new facts, including changes that occurred since the filing of the motion, and raises significant constitutional issues at stake regarding the First, Eleventh, and Fourteenth Amendments.

A reply will assist the Court in focusing on those issues in anticipation of its ruling on the motion. Although the opposition was 35 pages, incorporated with a motion to dismiss, BitBar only requests leave to file a reply brief of 10 pages or less. Because of the significant overlap of issues (and Defendant briefed them in a single memorandum), BitBar further requests that the deadline for the reply brief be the same as its opposition to the motion to dismiss. Counsel for Defendant consents to the relief requested.

Dated: October 14, 2020

Respectfully Submitted,

/s/ Jay M. Wolman

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CERTIFICATE OF CONFERRAL

Pursuant to L.R. 7.1, I hereby certify that on October 14, 2020, I attempted, in good faith, to resolve or narrow the issue, by contacting Defendant's counsel by telephone. Counsel for Defendant consents to the relief requested.

/s/ Jay M. Wolman

Jay M. Wolman

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the CM/ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing and paper copies will be sent to those indicated as non-registered participants on October 14, 2020.

/s/ Jay M. Wolman

Jay M. Wolman